

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 NSCE-00 INRE-00 USIE-00

CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 SAJ-01 DHA-02 ACDA-05 /061 W

----- 092551

O R 111650Z MAR 76

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 7136

INFO AMEMBASSY WARSAW IMMEDIATE

AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY SOFIA

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

USMISSION USBERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 04104

E.O. 11652: GDS

TAGS: PINT, PFOR, GW, PL

SUBJECT: PASSAGE OF POLISH PENSION AGREEMENT REMAINS
QUESTIONABLE

REF: BONN 4026

BEGIN SUMMARY: CDU SUPPORTERS OF THE POLISH AGREEMENTS
ARE PESSIMISTIC THAT UNLESS THE POLES GIVE FURTHER
GUARANTEE THAT THE ETHNIC GERMANS BEYOND THE 125,000
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FIGURE CAN EMIGRATE, THE CDU/CSU LAENDER (EXCEPT FOR

SAARLAND) WILL VOTE AGAINST THE PENSION AGREEMENT ON MARCH 12. KOHL BELIEVES THE LAENDER MUST VOTE TOGETHER ON THE ISSUE AND HE HAS BEEN UNABLE TO CONVINCE THE HARD-CORE CRITICS OF THE AGREEMENT TO ACCEPT PASSAGE. LOWER SAXONY MINISTER PRESIDENT ALBRECHT, WE ARE TOLD, WANTS TO VOTE FOR THE AGREEMENT BUT IS UNDER CONSIDERABLE PRESSURE. HE HAS INDICATED THAT HE WILL VOTE AGAINST THE AGREEMENT UNLESS THE POLES ARE MORE FORTHCOMING. END SUMMARY.

1. CDU CHAIRMAN KOHL FEARS THAT THE CDU MIGHT HEAD DOWN THE SAME ROAD AS 1972 WHEN THE MAJORITY OF THE CDU/CSU DEPUTIES ABSTAINED ON THE EASTERN TREATIES' VOTE. HE AGREES WITH STRAUSS, DREGGER AND COMPANY THAT THIS YES-NO ("JEIN") POSITION COST THE UNION PARTIES DEARLY IN THE 1972 BUNDESTAG ELECTION AND THEREFORE HE HAS PRESSED FOR PARTY SOLIDARITY. THE UNION LAENDER (WITH THE POSSIBLE EXCEPTION OF THE SAARLAND) MUST VOTE TOGETHER IN THE BUNDES RAT, HE IS CONVINCED. THE RESULT OF THE DECISION TO PRESERVE A UNITED FRONT (MADE IN STUTTGART AT THE BEGINNING OF THIS WEEK) IS THAT THE OPPONENTS OF THE AGREEMENTS WERE GIVEN VETO POWER PROVIDED THEY REMAINED FIRM.

2. WHEN THE CDU/CSU "LEADERSHIP TEAM" PLUS THE CDU/CSU MINISTER PRESIDENTS MET ON THE MORNING OF MARCH 10 TO PLAN THEIR STRATEGY FOR THE BUNDES RAT COMMITTEE MEETING, THE HARD-CORE OPPONENTS (DREGGER, FILBINGER, CARSTENS, AND TO A LESSER DEGREE STRAUSS) WERE NOT AWARE OF THE GENSCHER LETTER TO THE POLISH FOREIGN MINISTER. THEY THOUGHT THE PARTICIPANTS WOULD QUICKLY AGREE THAT THE POLISH FOREIGN MINISTER'S MARCH 9 "STATEMENT" WAS NOT ADEQUATE FOR THE CDU/CSU LAENDER TO CHANGE THEIR VOTE FROM NO TO YES. HOWEVER, KOHL HAD MET TOGETHER WITH ALBRECHT AND GENSCHER DURING THE EARLY HOURS OF THE MORNING, AND WAS INFORMED ABOUT THE DEVELOPMENTS IN THE FRANTIC NEGOTIATIONS BETWEEN BONN AND WARSAW WHICH HAD OCCURRED DURING THE NIGHT. WE ARE TOLD THAT KOHL FELT THE GENSCHER LETTER (REFTEL) HAD SIGNIFICANTLY CHANGED THE SITUATION. THE UNION PARTIES, HE FELT, COULD NOW

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CLAIM "VICTORY" IN THAT THEIR FIRMNESS HAD BROUGHT ABOUT A MORE FAVORABLE INTERPRETATION OF THE AGREEMENTS ACCEPTED BY THE POLISH GOVERNMENT. THE UNION PARTIES, KOHL FELT, COULD NOW VOTE FOR THE PENSION AGREEMENT IN THE BUNDES RAT.

3. IN ADDITION, WE ARE TOLD, ALBRECHT WAS PREPARED TO VOTE FOR THE AGREEMENT. AT THE MARCH 10 CDU/CSU LEADER-

SHIP MEETING, HOWEVER, THE HARD-CORE CRITICS REMAINED
ADAMANT. KOHL RATHER THAN FACE A SPLIT IN THE PARTY
GAVE WAY TO THE ARGUMENT THAT THE GENSCHER AND
OLSZOWSKI INTERPRETATIONS DID NOT SUFFICIENTLY
GUARANTEE THAT ALL ETHNIC GERMANS WHO WANTED TO LEAVE
POLAND WOULD BE PERMITTED TO DO SO. ALBRECHT
REPORTEDLY STILL WANTS TO VOTE FOR THE AGREEMENT BUT
FEARS THAT TO DO SO WOULD DESTROY PARTY UNITY. KOHL

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AND OTHERS HAVE WRITTEN OFF THE SAARLAND, WHICH IS EXPECTED TO VOTE FOR THE AGREEMENT. IRONICALLY, BEFORE THE CHANGE OF GOVERNMENTS IN HANNOVER, THIS DEFECTION FROM UNION RANKS WOULD HAVE SUFFICED TO BRING ABOUT PASSAGE.

4. ONE CDU POLITICIAN WHO WAS INVOLVED IN THE MARCH 10 CDU/CSU MEETING SAID THAT HE WAS CONVINCED THAT
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GENSCHER HAS MADE EVERY EFFORT TO MEET DEMANDS OF THE OPPOSITION IN ORDER TO ASSURE PASSAGE OF THE AGREEMENT TOMORROW. HE FELT ALSO THAT SCHMIDT HAS GONE FURTHER THAN "SOME OF HIS SPD COLLEAGUES" (READ WEHNER) WOULD LIKE IN MAKING CONCESSIONS TO THE OPPOSITION PARTIES TO OBTAIN THEIR VOTE. BOTH SCHMIDT AND GENSCHER, HE SAID, WERE WILLING TO PERMIT THE CDU/CSU TO CLAIM CREDIT FOR "IMPROVING THE AGREEMENT" IF THE UNION PARTIES WOULD VOTE YES IN THE BUNDESRAT.

5. CDU POLITICIANS WHO BELIEVE THE AGREEMENTS SHOULD BE APPROVED ON HUMANITARIAN GROUNDS AS WELL AS FOR SUCH DOMESTIC POLITICAL GROUNDS AS AN OPENING TO THE FDP, ARE PESSIMISTIC ABOUT THE VOTE ON MARCH 12 IN THE BUNDESRAT. THEY FEEL THAT IT IS UNLIKELY THAT THE POLISH GOVERNMENT WILL GO ANY FURTHER THAN IT ALREADY HAS, ESPECIALLY AS THERE IS NO ASSURANCE THAT KOHL COULD THEN GUARANTEE CDU/CSU SUPPORT IN THE BUNDESRAT.

6. A SENIOR FOREIGN OFFICE OFFICIAL WHO HAS BEEN AT THE EDGE (BUT NOT AT THE CENTER) OF THE GENSCHER-POLISH TALKS OVER THE LAST FEW DAYS TOLD US THAT GENSCHER HAD TRIED TO GET THE POLES TO SAY THAT THEY WOULD APPROVE EMIGRATION APPLICATIONS, EVEN AFTER THE END OF THE FOUR-YEAR DURATION OF THE AGREEMENT, UNDER THE TERMS OF THE "INFORMATION" AGREEMENT. THE FRG BELIEVED THE POLES COULD HAVE AGREED TO THIS, SINCE THE TERMS OF THAT "INFORMATION" WERE SO LOOSE THAT THEY COULD HAVE BEEN INTERPRETED IN MANY WAYS. BUT THE POLES WOULD NOT AGREE TO GO THIS FAR. THE SAME OFFICIAL SAID THAT GENSCHER MIGHT MAKE ANOTHER EFFORT BEFORE TOMORROW BUT THAT ONE COULD NOT BE OPTIMISTIC OF SUCCESS.

7. AS OF MARCH 11, THEREFORE, CDU POLITICIANS ARE PESSIMISTIC ABOUT THE CHANCES OF THE AGREEMENT TO PASS THE BUNDESRAT. THEY DO NOT RULE OUT THE POSSIBILITY THAT GENSCHER MAY COME THROUGH WITH A CHANGE IN THE LANGUAGE OF THE "INTERPRETATION" FROM "CAN BE GRANTED

PERMISSION TO EMIGRATE" TO "WILL BE GRANTED PERMISSION
TO EMIGRATE." IF HE DOES SO, AND THE POLES AGREE,
BUNDESRAT PASSAGE THEY FEEL WOULD BE LIKELY. ALBRECHT
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HAS ALREADY STATED PUBLICLY THAT IT IS THIS USE OF THE
WORD "CAN" IN GENSCHER'S LETTER WHICH PREVENTS HIM
FROM SUPPORTING THE AGREEMENT. HOWEVER, MOST OBSERVERS
HERE ARE NOT VERY SANGUINE THAT GENSCHER CAN BRING IT
OFF.

8. IT STILL IS POSSIBLE THAT THE BUNDESRAT WILL POST-
PONE CONSIDERATION OF THE PENSION AGREEMENT,OR SEND
IT TO THE JOINT-CONFERENCE COMMITTEE. POLITICAL AND
DIPLOMATIC EFFORTS ARE EXPECTED TO CONTINUE THROUGH THE
NIGHT AND, AS WE HAVE SAID BEFORE, THE OUTCOME WILL BE
UNCERTAIN UNTIL THE ACTUAL VOTE IS CAST TOMORROW.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABOR RELATIONS, AGREEMENTS, LABOR UNIONS, PENSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 MAR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BONN04104
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760092-0880
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760373/aaaacwi.tel
Line Count: 245
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 BONN 4026
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 31 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 MAR 2004 by MartinML>; APPROVED <29 JUL 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PASSAGE OF POLISH PENSION AGREEMENT REMAINS QUESTIONABLE
TAGS: PINT, PFOR, GE, PL
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006